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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

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6 Amber Foster,

7 Plaintiff,

8 v.

9 State of Nevada, et al.,

10 Defendants.

Case No. 2:19-cv-00969-GMN-BNW

**ORDER SCHEDULING A SETTLEMENT
CONFERENCE**

11 This matter has been referred to the undersigned for a settlement conference. (ECF No. 70).

12 Accordingly,

13 IT IS ORDERED that the settlement conference will be conducted by **video conference at 10:00**
14 **a.m., October 24, 2023, before U.S. Magistrate Judge, Cam Ferenbach.**

15 IT IS FURTHER ORDERED that counsel/parties must email chambers at
16 VCF_Chambers@nvd.uscourts.gov, with all email address(es) to be used for the video conference hearing
17 by 4:00 p.m., October 17, 2023.

18 IT IS FURTHER ORDERED that the Nevada Attorney General's office will make the necessary
19 arrangements for plaintiff Amber Foster to appear by video conference. Counsel must coordinate with
20 Tawnee Renfro at Tawnee_Renfro@nvd.uscourts.gov regarding this arrangement by noon, October 10,
21 2023.

22 All **principal counsel of record who will be participating in the trial** and who have full authority
23 to settle this case, all parties appearing pro se, if any, and **all individual parties must be present**. In the
24 case of non-individual parties, counsel of record shall arrange for an officer or representative with binding
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1 authority to settle this matter up to the full amount of the claim or most recent demand to be present for
2 the duration of the conference.

3 If any party is subject to coverage by an insurance carrier, then a representative of the insurance
4 carrier with authority to settle this matter up to the full amount of the claim or most recent demand must
5 also be present for the duration of the settlement conference. This representative must be the adjuster
6 primarily responsible for the claim or an officer with supervisory authority over that adjuster. Third party
7 administrators do not qualify.

8 A request for an exception to the above attendance requirements must be filed and served at **least**
9 **three weeks prior** to the settlement conference. Counsel of record, individual parties, and a fully
10 authorized representative must attend the settlement conference unless the court enters an order granting
11 a request for exception.

12 **PREPARATION FOR SETTLEMENT CONFERENCE**

13 In preparation for the settlement conference, the attorneys for each party shall submit a
14 confidential settlement conference statement for the Court's in camera review. The settlement conference
15 statement shall contain the following:

16 1. Identify, by name or status the person(s) with decision-making authority, who, in
17 addition to counsel, will attend the settlement conference as representative(s) of the party, and persons
18 connected with a party opponent (including an insurer representative) whose presence might substantially
19 improve the utility of the settlement conference or the prospects of settlement;

20 2. A brief statement of the nature of the action.

21 3. A concise summary of the evidence that supports your theory of the case, including
22 information which documents your damages claims. Please attach to your statement any documents or
23 exhibits which are relevant to key factual or legal issues, including selected pages from deposition
24 transcripts or responses to other discovery requests.

1 4. An analysis of the key issues involved in the litigation.

2 5. A discussion of the strongest points in your case, both legal and factual, and a frank
3 discussion of the weakest points as well. The Court expects you to present a candid evaluation of the
4 merits of your case.

5 6. A further discussion of the strongest and the weakest points in your opponent's
6 case, but only to the extent that they are more than simply the converse of the weakest and the strongest
7 points in your case.

8 7. The history of settlement discussion, if any, which details the demands and offers
9 which have been made, and the reasons they have been rejected.

10 8. The settlement proposal that you believe would be fair.

11 9. The settlement proposal that you would honestly be willing to make in order to
12 conclude this matter and stop the expense of litigation.

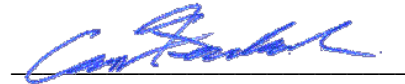
13 The settlement conference statements shall be received in my chambers (U.S. Magistrate Judge
14 Cam Ferenbach, located on the third floor at 333 Las Vegas Boulevard South, Ste. 3005, Las Vegas,
15 Nevada) - not later than **4:00 p.m., October 17, 2023**. **The parties may deliver the confidential**
16 **statement to chambers or statements may be emailed to VCF_Chambers@nvd.uscourts.gov** no later
17 than 4:00PM, October 17, 2023.

18 **DO NOT SERVE A COPY ON OPPOSING COUNSEL. DO NOT DELIVER OR MAIL**
19 **COPIES TO THE CLERK'S OFFICE.**

20 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for and
21 conducting the settlement conference. In order to facilitate a meaningful conference, your utmost candor
22 in responding to all of the above-listed questions is required. **The settlement statement will be seen by**
23 **no one except the undersigned**. If this case does not settle, the settlement conference statement will not
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1 be disclosed to the judge who ultimately presides over the trial. Each statement will be securely
2 maintained in my chambers, and will be destroyed following the conference.

3 DATED this 5th day of September 2023.

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5 CAM FERENBACH
6 UNITED STATES MAGISTRATE JUDGE
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